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C O N F I D E N T I A L SECTION 01 OF 02 KUWAIT 001306

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SUBJECT: FORCED OUT?: LIBERAL COLUMNIST QUITs, DECRIES
'BEHEADING' OF FREE SPEECH

REF: KUWAIT 1192

Classified By: Ambassador Richard LeBaron for reasons 1.4 (b) and (d)

1. (C) Summary: Decrying the death of press freedom, Kuwait University Political Scientist and long-time columnist Dr. Ahmed Al-Baghdadi followed up on his promise to quit writing on March 25. Al-Baghdadi, an extremely active critic of both the GOK and the increasing influence of Islamist elements in Kuwaiti society, is one of only a handful of columnists known to have been convicted under Kuwait's Press and Publications Law. That the rarely enforced law has silenced a vocal critic of both the government and conservatives has left some Kuwaitis wondering if the GOK was complicit in his undoing, and others suggesting Al-Baghdadi didn't bring this upon himself. End Summary.

2. (U) "This is my last article and last words," wrote liberal columnist Ahmed Al-Baghdadi in the March 25 edition of local arabic daily Al Seyasseh. "Goodbye to the freedom of speech which has been beheaded with the guillotine of the law." Al-Baghdadi was convicted of defaming Islam when he criticized the Education Ministry for cutting music classes from private school curricula in order to make room for additional classes on the Holy Quran. The case, brought by three Islamists, charged Al-Baghdadi with accusing Kuwait's educational system of promoting extremist and terrorist thinking.

3. (C) Al-Baghdadi's conviction has generated much debate over the limits of what is regarded in the Gulf as a relatively free Kuwaiti press environment. While Al-Baghdadi's contemporary liberal columnists view the ruling as a violation of free speech, many moderate Kuwaitis are of the opinion that Baghdadi pushed his commentary too far one too many times. A liberal Kuwaiti told Poloff March 28 that discussion in his family's diwaniya had focused on Baghdadi's propensity to cross the line of culturally acceptable free speech. "It is one thing to criticize Islamists," he said, "but Baghdadi appears sometimes to be anti-Islam." Some Kuwaiti columnists and even Al-Baghdadi's own attorney agreed. Writing in the English daily Kuwait Times on March 29, Dr. Sami Alrabaa called Arab liberals naive for not recognizing that their comments, while not overtly anti-Islamic, would be interpreted as such by Islamists and used against them. In a March 25 meeting with Poloffs, Al-Baghdadi's attorney, Bader al-Yacoub, confided that he had warned his client, who he deemed "sometimes anti-Muslim," not to be aggressive given the current political environment.

4. (C) Despite Al-Baghdadi's reputation for being provocative, others have wondered if the timing of the conviction is related to the government's current efforts to combat militant Islamists. The GOK, suspected by many of appeasing Islamist elements for years, has been locked in a struggle with proponents of the Takfiri militant ideology since early January, when the first of a series of gun battles gripped the nation, forcing the government to act decisively against radicals. (Note: Takfiris subscribe to a militant Muslim ideology that rejects the legitimacy of the ruling regime and calls followers to withdraw from the "secular" society and work violently to bring the society in line with their interpretation of Islam. End Note.) The silencing of Al-Baghdadi, a thorn in the GOK's side, has the added benefit of appeasing conservative Islamists who have in recent months gone to great lengths to distinguish themselves from militants by publicly reaffirming their support for the government and the rule of the Al-Sabah family.

5. (C) Al-Baghdadi's sentence comes after the ruling family publicly and privately instructed newspaper editors to refrain from publishing anything that could compromise national security in the wake of the January shoot-outs. The government is also backing a restrictive version of a draft press and publications law, in opposition to a more liberal draft put forward by the parliament's Education Committee, which has responsibility for press affairs. Committee Chairman MP Hassan Johwar told Emboffs January 29 that he believes the government will reject the liberal version because, he said, the GOK "is against openness" in both the press and the political system. Although Jowhar said he does not approve of what Al-Baghdadi wrote, he opposes Al-Baghdadi's sentence on principle and believes that the

government should be more tolerant of columnists' divergent views.

16. (C) Comment: While Kuwait's Press and Publications Law clearly limits free speech, its rare enforcement is indicative of a relatively high level of official tolerance for alternative viewpoints, especially when contrasted to other Gulf states. Judging from the silence of Kuwait's moderate majority, it appears Al-Baghdadi may have been as much a victim his own actions -- deigning to appear critical of Islam in a society wholly intolerant of such criticism -- than of overly limiting free speech laws.

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